

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

RELIANCE INSURANCE	)	CIVIL NO. CV02-00159 HG BMK
COMPANY (IN LIQUIDATION), a	)	
Pennsylvania corporation,	)	DECLARATION OF DEVIN
	)	O'BRIEN
Plaintiff,	)	
	)	
vs.	)	
	)	
THE DOCTORS' COMPANY, a	)	
California corporation,	)	
	)	
Defendant.	)	
	)	

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DECLARATION OF DEVIN O'BRIEN

DEVIN O'BRIEN declares that:

1. I am the senior counsel for Defendant The Doctors Company in the above-captioned matter, and I am an attorney licensed to practice in the State of California. This Declaration is submitted in support of Defendant The Doctors Company's Memorandum in Opposition to Plaintiff Reliance Insurance Company's (in Liquidation) Motion to Satisfy Judgment and Enforce Supersedeas Bond and for Attorneys' Fees in the Amount of \$5,775.00, filed herewith.

2. Upon information and belief, attached hereto as Exhibit "A" is a true and correct copy of the Order of Liquidation issued by the Commonwealth Court of Pennsylvania, dated October 3, 2001, in the matter of M. Diane Koken, Insurance Commissioner of the Commonwealth of Pennsylvania v. Reliance Insurance Company, No. 269 M.D. 2001.

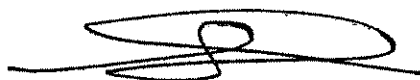
3. On December 29, 2003, the Receiver for the Reliance liquidation acknowledged receipt of TDC's proofs of claim of its claims against Reliance.

4. Attached hereto as Exhibit "B" is a true and correct copy of the Petition of The Doctors Company for Leave to Intervene, for Relief from Stay, to Declare Right of Setoff, and to Enjoin Execution filed in the Commonwealth Court of Pennsylvania on December 21, 2005 ("Petition").

5. At the time of this filing, the Petition remains pending before the Commonwealth Court of Pennsylvania.

I, DEVIN O'BRIEN, declare under penalty of law that the foregoing is true and correct.

Executed this 21<sup>st</sup> day of December, 2005.

A handwritten signature in black ink, consisting of a series of loops and a horizontal line at the end.

DEVIN O'BRIEN